

Resolution

adopted 11 November 2003

by the European Parliament of Disabled People

The European Year of People with Disabilities and beyond:

A vision for the future

- (i) This European Parliament of Disabled People (EPDP) is of historic importance. It has brought together the European disability movement in plenary discussion with Members of the European Parliament and other key EU decision makers to consider the legacy of the European Year of People with Disabilities (EYPD) and the future for EU disability policy.
- (ii) The EPDP made up of 200 official delegates of different organisations of people with disabilities and parents of disabled people unable to represent themselves demonstrates the diversity of the disability movement in Europe which consists of 50 million people.
- (iii) The EPDP is outraged at the fact that disabled people and their families continue to be discriminated against and have their rights denied every day.
- (iv) The EPDP considers that the dynamic generated by the EYPD 2003 must continue after 31 December 2003 and be quickly realised through the implementation of concrete and sustainable measures to combat discrimination and bring down barriers which disabled people and their families face in all areas of life. We want clear targets for this with deadlines for implementation of these targets.
- (v) The EPDP demands that disability policy and issues relating to discrimination and human rights of disabled people are placed among the top priorities in the political agenda.
- (vi) The EPDP considers the Madrid Declaration and the 22 UN Standard Rules (1993) as a valid framework on how disability policies should be designed at all levels of governmental and non-governmental policy planning. As the Madrid Declaration has stated, non-discrimination plus positive action results in social inclusion. The Standard Rules state the importance of equal partnership of disability organizations, authorities and service-providers.
- (vii) The EPDP considers disability not as a problem of the individual, but as a problem of society lacking in accessibility or services. Human rights apply to all disabled persons, regardless of the nature of the disability being

intellectual, physical, mental and chronic or 'hidden'. Whereas the 22 UN Standard Rules refer to the former International Classification of Disabilities, Impairments and Handicaps of the World Health Organisation, EPDP now takes the International Classification of Functioning as the basis for the working of the Madrid Declaration, the Standard Rules and the Agenda 22.

We the EPDP have the following demands of the EU institutions and Member States:

LEGISLATION

Non-Discrimination Legislation

1. We call for explicit support for an EU Disability Specific Directive which will cover all areas of EU competence and request that the process to adopt this Directive should start during 2004. This new legislation would prevent the establishment of new barriers and request that all existing barriers faced by disabled people are completely dismantled in Europe over the next decade. We call on EU Member States for explicit constitutional protection against discrimination on grounds of disability.
2. We call on the EU Member States to fully and completely transpose into national law the provisions relating to the combating of discrimination on grounds of disability set down in the EU Council Directive establishing a general framework for equal treatment in employment and occupation (2000/78/ EC). We want this to happen as soon as possible. We urge that the resulting national legislation will recognise a broad definition of disability based on the social model of disability in the law, based on the social model of disability, and set down strict and effective sanctions to be used in cases where the law has been breached.
3. We call on all Member States to use the opportunity provided by the transposition of the EU Council Directive establishing a general framework for equal treatment in employment and occupation (2000/78/ EC) to promote more comprehensive anti-discrimination legislation, covering all other areas of life and all levels of governmental policy-planning.

The New Constitutional Treaty of the European Union

4. We call on Heads of Government and Ministers attending the Intergovernmental Conference to ensure that Legislative Measures under Article III-8 on non discrimination on grounds of disability (former article 13) included in Part Three of the Constitution are decided by qualified majority voting.

5. We call on the IGC to support the positive measures for disabled people already included in the draft Constitutional Treaty, notably the inclusion of the fight against discrimination along the objectives of the EU, of equality among its values, the mainstreaming of non-discrimination across all EU policies and actions, the full inclusion of the Charter of fundamental rights in the new Treaty, the recognition of the importance of civil dialogue and of participatory democracy.

The UN Convention on the Rights of Disabled People

6. We strongly welcome the support given by the EU institutions to the initiative for a United Nations Convention on the Rights of Disabled People, following up the UN Standard Rules Resolution on Equalisation of Opportunities of 1993. We call on the EU to continue to support this process for a comprehensive Convention, which will protect and promote the civil, political, economic, cultural and social rights of disabled people through enforceable anti-discrimination legislation as well as positive action. Furthermore, the EU institutions and the Member States shall continue supporting the active participation of the representative organisations of disabled people in this process as key stakeholders on the basis of equal partnership.

MAINSTREAMING DISABILITY

Mainstreaming disability in all EU policies

7. We call for an EU action programme to be established which would have as its main purpose to ensure the mainstreaming of disability in all EU policy areas. We request the European Commission to produce an annual report on how disability has been taken into account in all policy areas. This report would include an evaluation on how disability has been mainstreamed at EU Member States level in the different areas for which the open method of co-ordination has been established.

Better co-ordination of national disability policies

8. Call on the EU institutions to set up the following process which should result in better national disability policies:
 - (a) Following a proposal from the European Commission, the EU Member States agree to provide structured information on national disability policies (as well as relevant statistics) on a biennial basis in the form of country reports. In order to facilitate comparison between Member States, the reports will be prepared following an agreed structure and specific method. For this method, the Agenda 22 is highly recommended. The EU Institutions will insist that Member States consult NGOs in preparation of their biennial country reports.

- (b) The European Commission, after bilateral discussions with Member States and having also consulted with the European Disability Forum will produce a comprehensive report, highlighting examples of good practice, as well as general and country specific recommendations in National Disability Action Planning and community implementation.
- (c) These abovementioned reports will be presented to the last Council of Employment and Social Affairs every second year and will also be presented to the European Parliament.

PRIORITY POLICY ISSUES

Employment and Social Inclusion Policy

- 9. We call on EU institutions to give much greater prominence to the status of disabled people in the European Employment Strategy and European Strategy against Social Exclusion and Poverty.
- 10. We call on Member States to mainstream disability horizontally across the National Action Plans on Employment as well as Social Exclusion and Poverty. We demand that the European Commission and Member States put in place concrete targets and timetables to promote the employment and social inclusion of disabled persons through non-discrimination and positive action measures. We request that disability organisations are closely involved in all stages of the definition, implementation, and monitoring of these strategies.
- 11. We call on the Eurostat and the EU Member States to compile regular statistics on the living and employment situation experienced by disabled people, including disability specific statistics, and to agree on common disability indicators in order to evaluate how well objectives to promote non-discrimination and social inclusion are being achieved;
- 12. The family of disabled people, in particular of disabled children and people with complex dependency needs unable to represent themselves, plays a vital role in their education and social inclusion. In view of this, adequate measures for families need to be established by public authorities, in order to allow families to organise their support for the disabled person in the most inclusive way.

Freedom of Movement

- 13. We urge all European institutions to encourage the Freedom of Movement of disabled people throughout all Member States. To achieve

this it means that all social security benefits must be exportable and Personal Assistance services can move with individuals. This social exclusion of disabled people because of the lack of freedom of mobility must be removed to achieve a truly inclusive Europe.

Transport

14. We demand adoption of a directive requiring all forms of collective transport to be fully accessible to disabled people. Sustainable transport means that every person in society, including disabled persons, must have full and equal access to all modes of transport including buses, coaches, taxis, metros, trams, light rail and heavy rail, aeroplanes and ships.

15. We consider that the principle of integrated and seamless travel, must be fundamental to the transport systems and infrastructure across Europe. Without seamless and accessible transport systems and infrastructure disabled people do not have the confidence to travel and their freedom is restricted. Accessible travel for disabled people must include, timetable-, ticketing- and on-vehicle information in accessible formats, comprehensive information about the accessibility of stations and transport nodes, access to the built environment, access to transport vehicles, and provision of assistance.

Access to the Built Environment

16. Accessibility of the built environment is a fundamental right and central to securing free movement of disabled people, equal opportunities and non-discrimination. We demand the adoption of an EC Directive on Access to the Built Environment, to mandate that all new and existing buildings be made fully accessible as well as the wider built environment.

Information Society

17. We demand that work is started on an IT-directive which shall prevent exclusion of persons with disabilities in the information society as a whole and we, therefore, expect that eEurope 2005 action programme and all future programmes in this field give specific attention to the access needs of disabled people by means of a dedicated action line, with clear targets of attainment, to address technical, legal, social and economic barriers faced by disabled people to the information society. Furthermore, we call for scope of the Web Accessibility Guidelines to be extended and strengthened. The principle of design and development for all must underlie the production of all hardware and software, so that cost is minimised and expensive modifications do not have to be made later on

18. We demand that EU legislation in the field of electronic communications requires, on a mandatory basis, the provision of accessible services and equipment and that rigorous measures are put in place to monitor the

implementation and to impose sanctions where no effort is being taken to achieve these aims.

Domestic Product Design and Assistive Technology

19. We call for the use of an inclusive design methodology in all research and development of domestic products with a view to improving the usability of everyday products for all, including people with disabilities thereby reducing the barriers faced by people with varying abilities in society as a whole.

Coordination of Access Initiatives

20. We demand coordination of EU access initiatives in the fields of ICT, Transport and Built Environment and Tourism through close and regular communication and information exchange between the European Commission Directorates-General and other EU institutions, and in consultation with representatives of the disability movement.

Public Procurement Legislation

21. We call for EU public procurement legislation to allow public authorities and other public contractors to include among the award criteria of public tenders the bidding companies' practices towards disabled people in terms of equal treatment in recruitment and employment among the award criteria of public tenders.
22. We call for EU public procurement legislation to include Design for All and accessibility requirements in the provisions on technical specifications of tendering documents.

Media

23. We call upon the European Institutions and Member States to guarantee the promotion of change in the mainstream media sector. The Media should improve the disabled people portrayal, increase the visibility of disabled people in all genres and the coverage of issues which specifically concern disabled people and their families and promote positive images of disabled people that are not based on charity or the medical approach and avoid negative stereotypes. We demand a close co-operation between disabled people and their representative organisations, the disability specific media and the mainstream media industry; and to ensure the accessibility for disabled people of media services;
24. Media should provide advice to disability organisations on how to become more effective in working with the media in their communication work. When seeking to cover disability issues, media should be in contact with representative disability organisations, to ensure that the information provided will not be offensive to disabled people.

Culture, Education and Youth

25. We request the European Commission to prepare a Communication on access of disabled people to cultural places and to cultural activities, as a follow-up to the Council Resolution adopted under the Greek Presidency, and which could be based on the 'Resolution on Art, Culture, Media and Disability' adopted by the European Disability Forum on 24 May 2003. We demand that Member States and the European Commission, as far as is possible within their respective legal competence undertake studies and initiatives which favour exchanges and partnerships between actors in the health, medical and cultural sectors.
26. We ask that EU policy on education, youth, and culture promotes the inclusion of all disabled children, young people and adults. In particular, we ask for further progress on accessibility of youth and education programmes, the development of peer training and education programme, and to include accessibility of cultural places, facilities and activities as a requirement of culture projects funded by the EU.

Research

27. We call for EU research funding to give significantly greater priority to social research in relation to the quality of life of disabled people and for research in other areas which impact on the lives of disabled people notably in the field of transport, ICT, biotechnology, that there is a mandatory requirement in the project selection criteria to involve representative disability organizations and consult with disabled users in the development of this research.

Bioethics

28. We demand that the views of disabled people and their families are taken into account in all bioethical discussions, by ensuring that representatives from the disability movement are members of the relevant bioethics committees and working groups that exist or will be established in the future.

Development Cooperation and Disability

29. We demand that the EU Guideline document on Disability and Development Cooperation is fully implemented and that a specific European Commission Communication on Disability and Development Cooperation is drawn-up setting out a timeframe and concrete targets to address the needs of disabled people in EU development cooperation policy and funding allocations.

DISABILITY COMMUNITIES FOR POSITIVE ACTION

Women with Disabilities

30. We strongly call for the interests of disabled women to be given specific recognition in equal opportunities policies and for targets to be set to promote the role of disabled women in the field of employment, social inclusion and decision making. Women must be the protagonists of their own change, therefore they must be involved in the decision-making process where their presence is more indispensable everyday.

Disabled People who experience Multiple Discrimination

31. We call all EU institutions to give particular recognition to persons facing multiple discrimination, including discrimination based on sex, racial or ethnic origin, religion or belief, age or sexual orientation, and to give focused attention upon how to address this complex issue;

Children with disabilities

32. We strongly call all EU institutions to take in the right consideration the specific interests of disabled children. We demand to put in action equal opportunities policies and measures aiming at social inclusion of disabled children based on the child's rights and in particular on the UN Child Convention "general principles" : the non-discrimination (art.2); the superior interest of the child (art.3); the right to life, to survival and development (art.6); and the respect of the child's opinion (art.12).

Disabled People with Complex Dependency Needs

33. We call for particular attention and support to be given by Governments, all relevant stakeholders and the public at large to the needs of disabled persons with severe and complex dependency needs, including those with visible and invisible disabilities, together with their families. We demand that Member States commit adequate legislative and financial provision in order that persons with CDN and their families may move out of social exclusion into a situation of non-discrimination and social inclusion;
34. We demand that persons with CDN be supported to live in families, as independently as possible, with the same opportunities as other citizens. We therefore demand an end to all policies of institutionalisation.

Independent Living and Personal Assistance

35. We urge that a European wide policy on Personal Assistance services be established so that those disabled people who need support and assistance in their everyday lives have the same opportunities and chances as others in every Member State.

Augmentative and Alternative Communication

36. Communication is a fundamental human right. All people have the right to speak for themselves. People with complex communication needs require access to appropriate forms of augmentative and alternative communication (AAC) where AAC refers to any intervention that attempts to compensate (either temporarily or permanently) for the impairment and disability patterns of individuals with severe communication disorders (i.e., speech, language and writing). We call for particular attention and support to be given by Governments, all relevant stakeholders and the public at large to the right of all disabled persons with complex communication needs to have access to the appropriate AAC, support and training, which meets their changing communication needs over time.

Disabled People in Institutions

37. We demand that large institutions existing over Europe, which permanently or for a long period of time provide housing and living facilities and services exclusively to persons with complex dependency needs and which do not further the goal of self-determination and equal participation of disabled people in community life, should be replaced over the next five years by community based services that further the above mentioned goals. We further demand the approval of effective provisions against the building of new large institutions in all EU Member States.
38. We demand effective and regular independent monitoring and assessment of the situation experienced by disabled persons living in institutions and for transparent and open reporting by all EU Member States on the results of such undertakings;

Disabled people in the ten new Member States

39. We request from the European Commission to provide funds to be devoted to the capacity building of representative organisations of disabled people in order to ensure their active participation in all EU initiatives. We request the Governments from the ten new Member States to provide funding for the representatives organisations of disabled people to allow them to fulfil their role of advocacy of disabled people.

Disabled people in the future accession countries

40. We request the EU institutions to pay special attention to the situation of human rights of disabled people in the countries that will join the European Union in the coming decade and that the accession negotiations be an opportunity for the Union to encourage future Member States to make advances in this area.

STRUCTURED CONSULTATION

Structured consultation with representative disability organisations

41. We call for a clear recognition of the European Disability Forum as the umbrella organisation of the organised disability movement in Europe as well as of the European Non-Governmental Organisations representing the various impairment specific groups of persons with disabilities and the parents of disabled people unable to represent themselves. We also call for a clear recognition of the Europe-wide organisations representing disability-specific interests and recognise the contribution they can make to implementing and developing policies affecting their specific interest groups. The European Disability Forum should be granted a special status in all stages of the structured consultation between the EU institutions and the disability movement, notably within the High Level Group on Disability. To be able to perform their important work, the European Disability Forum and the representative ENGOs of people with disabilities need to obtain sufficient public funding, funding which should in no way limit their independence.

We the EPDP encourage and urge EU institutions and Member States to disseminate this Resolution widely. We call on European institutions and Member States to commit to undertake actions which will contribute to the process that will bring about real equality for all disabled people and their families.

Nothing about us without us.